

1 **PINNOCK & WAKEFIELD**

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13 **OUTERBRIDGE ACCESS ASSOCIATION,
14 SUING ON BEHALF OF DIANE CROSS;
15 and DIANE CROSS, An Individual,**
16 Plaintiffs,
17 v.
18 **MARIE CALLENDER'S PIE SHOPS, INC.
19 d.b.a. MARIE CALLENDER'S #254;
20 PACIFIC BAGELS, LLC d.b.a.
21 BRUEGGARS BAGELS; COURTYARD
22 HOLDINGS, LP; PSS PARTNERS, LLC;
23 and DOES 1 THROUGH 10, Inclusive,**
24 Defendants.

25 **Case No.: 07CV2129 BTM (AJB)**

26 **DECLARATION OF MICHELLE L.
27 WAKEFIELD IN SUPPORT OF
28 PLAINTIFFS' OPPOSITION TO
29 DEFENDANTS' MOTION TO DISMISS**

30 Date: January 25, 2008
31 Time: 11:00 AM
32 Judge: Hon. Barry T. Moskowitz
33 Courtrm: 15

34 **NO ORAL ARGUMENT UNLESS
35 REQUESTED BY COURT**

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1 I, Michelle L. Wakefield, Do Declare:

2 1. I have personal knowledge of the facts set forth in this declaration and if called as a witness
3 I could competently testify to the following facts:

4 2. I am an attorney of record for Pinnock & Wakefield, APC representing plaintiffs in the
5 present matter. I am licensed to practice law in all courts in the State Of California and for the
6 United States District Court For The Southern District Of California.

7 3. Attached as Exhibit A, as pages 1 through 5 is a true and correct copy of Judge
8 Moskowitz's decision in Pinnock v Solana Beach Do It Yourself Dog Wash, Case # 06CV1816
9 BTM, Docket Item # 22 issued on July 3, 2007.

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11 I do declare under the penalty of perjury and the laws of the United States and the State of
12 California that the above is true and correct.

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Dated: January 11, 2008

by /S/ Michelle L. Wakefield

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Michelle L. Wakefield

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